

**INFORMATION –PROCEEDINGS FOR DISSOLUTION OF MARRIAGE / LEGAL SEPARATION**  
**NO CHILDREN**

*More information is located in Chapter 11.02 of the Lummi Code of Laws*

These instructions apply when the husband and wife are not both the legal parents of a child and the wife is not pregnant. “Legal parentage” includes adoption, and also includes a child born during the marriage whether or not the husband is the biological father. Paternity can only be disestablished through application to the state division of vital statistics (accompanied with acknowledgement of paternity by birth father) or through court action.

**Note re: Legal Separation or Declaration of Invalidity of Marriage.** Use the same procedures and forms that are used for Dissolution of Marriage. There are boxes on the petition to indicate what type of relief you are seeking.

**A. “ACCESS TO THE COURT - Instructions for Civil Cases”**

Pick up a copy of this information sheet and review it for the general procedures to follow in civil cases.

**B. Jurisdiction of Court**

The Court only has jurisdiction over a dissolution proceeding if one or both parties to the marriage is a Lummi Tribal member or presently living on the Lummi Indian Reservation.

**C. Forms Packet – Initiating Dissolution Proceeding**

Court Forms packet (DM – P1) contains the following documents:

Petition for Dissolution of Marriage (No children)

Summons – Dissolution

Contact Information Sheet (if there are reasons to keep contact information confidential based on allegations of domestic violence, use form AA – 03 to preserve confidentiality)

Decree for Dissolution of Marriage (No children)

Certificate of Dissolution (state form) (for use when dissolution is final)

**D. Domestic Violence**

If you fear for your safety, you should file for an Emergency Domestic Violence Order. The Lummi Victims of Crime Office (384-2285) can be contacted for assistance. Court forms are also available for your use. If you are doing so, be sure to check that box in the caption of the Petition for Dissolution form.

**E. Temporary Orders**

Either party can seek certain temporary orders pending the final decree of dissolution. Court Form DM – 09 is available for this purpose. Examples of temporary orders are:

1. Restraining Order to restrain the other party from activities such as:

- transferring, removing, encumbering, concealing, or in any way disposing of any property except in the usual course of business, or for the necessities of life, and, if so restrained or enjoined requiring that party to notify the other party of any proposed extraordinary expenditures made after the order is issued
- molesting or disturbing peace the other party, and of any child of either party.
- entering the family home or the other party’s home

*Note: if domestic violence is an issue, you should also file for an Emergency Domestic Violence Order*

2. Ordering the other party to pay temporary monthly maintenance.

**F. Answering a Petition for Dissolution**

Use Court Forms Packet AB – P3 to file an answer to a Petition for Dissolution.





1  The petitioner's recommendation for the division of property is set forth below (*List real*  
2 *estate, furniture, vehicles, pensions, insurance, bank accounts, etc.. Attach separate sheet if necessary*).

3 1. The petitioner should be awarded the following property, or percentage of property:  
4 \_\_\_\_\_  
5 \_\_\_\_\_  
6 \_\_\_\_\_  
7 \_\_\_\_\_  
8 \_\_\_\_\_  
9 \_\_\_\_\_  
10 \_\_\_\_\_

11 2. The respondent should be awarded the following property, or percentage of property:  
12 \_\_\_\_\_  
13 \_\_\_\_\_  
14 \_\_\_\_\_  
15 \_\_\_\_\_  
16 \_\_\_\_\_  
17 \_\_\_\_\_  
18 \_\_\_\_\_

19 3. Other:

20 9. DEBTS AND LIABILITIES.

- 21  The parties have no debts and liabilities.  
22  The parties have debts and liabilities. The court should make a fair and equitable  
23 division of all debts and liabilities.  
24  Each party should pay their own debts incurred since separation.  
25  The division of debts and liabilities should be determined by the court at a later date.  
 The petitioner's recommendation for the division of debts and liabilities is set forth  
below (attach separate sheet if necessary):

1 1. The petitioner should be ordered to pay the following debts and liabilities:

2 Creditor

Amount

3 \_\_\_\_\_

4 \_\_\_\_\_

5 \_\_\_\_\_

6 \_\_\_\_\_

7 2. The respondent should be ordered to pay the following debts and liabilities:

8 Creditor

Amount

9 \_\_\_\_\_

10 \_\_\_\_\_

11 \_\_\_\_\_

12 \_\_\_\_\_

13  Other:

14  
15 10. OTHER:

16  
17  
18 II. RELIEF REQUESTED

19 The petitioner requests the Court to enter  a decree of dissolution of marriage  a decree of  
20 legal separation  a declaration of invalidity of marriage, and to grant the relief below in  
accordance with the Petition:

21  Divide the property and liabilities.

22  Change name of wife to: \_\_\_\_\_.

23  Change name of husband to: \_\_\_\_\_.

24  Order payment of petitioner's attorney's fees, other professional fees and costs.

25  Other:

1  
2  
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25

I declare under penalty of perjury of the laws of the Lummi Nation that 1) I have read this Petition or it has been read to me; and 2) I understand the contents of the Petition and believe the contents to be true and correct to the best of my knowledge, information, and belief, formed after reasonable inquiry. Below is the address at which I can receive all legal documents, and I understand I have the duty to update this address with the court if it changes.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Plaintiff / Petitioner  
\_\_\_\_\_  
Print or Type Name  
\_\_\_\_\_  
Address  
\_\_\_\_\_  
City, State, Zip Code  
\_\_\_\_\_  
Telephone Number

JOINDER (if applicable)

The respondent joins in the petition. By joining in the petition, the respondent agrees to the entry of the a decree, in accordance with the petition, without further notice.

I declare under penalty of perjury under the laws of the Lummi Nation that the statements made in this Petition are true and correct.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature of Respondent  
\_\_\_\_\_  
Print or Type Name  
\_\_\_\_\_  
Address  
\_\_\_\_\_  
City, State, Zip Code  
\_\_\_\_\_  
Telephone Number

**IN THE TRIBAL COURT  
FOR THE LUMMI NATION, WASHINGTON**

_____, Plaintiff / Petitioner,  vs.  _____, Defendant / Respondent	Case No.: _____ CVDM _____  <b>WORKSHEET – OUTSTANDING DEBTS AND ASSETS</b>  Submitted by: <input type="checkbox"/> Wife <input type="checkbox"/> Husband
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*(Attach additional pages if needed. Don't duplicate accurate information on the other party's worksheet.)*

**I. ALL DEBTS OWED**

For each debt, provide the following information and attach any documentation of the original debt and any recent documentation that shows the current amount owed.

Creditor:		Loan or Acct #:	
Type:		Amt Owing:	\$
Creditor:		Loan or Acct #:	
Type:		Amt Owing:	\$
Creditor:		Loan or Acct #:	
Type:		Amt Owing:	\$
Creditor:		Loan or Acct #:	
Type:		Amt Owing:	\$
Creditor:		Loan or Acct #:	
Type:		Amt Owing:	\$
Creditor:		Loan or Acct #:	
Type:		Amt Owing:	\$

1 **II. ALL PROPERTY OWNED**

2 For each item of property, provide a description and the estimated value. Describe each item  
3 separately, and do not combine items together. If there is an account or other type of  
4 identification number, state the number. Attach any documentation showing purchase price, and  
5 any other document that would indicate present value. If an item of property is claimed as  
6 separate property, state who claims ownership.

7	Vehicles	
8	Boats	
9	Trailer; House; and/or Land	
10	Cash and/or Banking Accounts	
11	Retirement Accounts	
12	Stocks / Bonds and/or Cash Value of Life Insurance	
13	Tools and/or Fishing equipment	
14	Business assets (fireworks stand, etc.)	
15	Artwork; Jewelry; Collections (stamps, coins, etc.)	
16	Electronics equipment (stereo, TV, etc.)	

1 2	Ceremonial and sacred property	
3 4	Children's clothing, etc.	
5 6 7 8 9 10	Other valuables:	

11 If there is any property held in trust for either of the parties, describe the property and its status.

12  
13  
14 I declare under penalty of perjury under all applicable civil and criminal laws that the statements  
15 made in this financial worksheet (pages 1-4) are true and correct to the best of my knowledge  
16 and belief.

17 \_\_\_\_\_  
Dated

\_\_\_\_\_  
Signature

18 \_\_\_\_\_  
Printed Name

19 SUBSCRIBED AND SWORN to before  
20 me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

21 \_\_\_\_\_  
Notary Public  
22 My Commission Expires:

23 **COURT NOTICE TO OTHER SPOUSE: If you believe that this information is not**  
24 **complete and/or accurate, use Court Form DM – 12 to make your own statement as to**  
25 **assets and liabilities. File your statement with the Court and provide a copy to the other**  
**party.**

**IN THE TRIBAL COURT  
FOR THE LUMMI NATION, WASHINGTON**

IN RE THE MARRIAGE OF:

Case No.: \_\_\_\_\_ CVDM \_\_\_\_\_

\_\_\_\_\_

Petitioner,

and

**SUMMONS – DISSOLUTION OF  
MARRIAGE**

\_\_\_\_\_

Respondent.

**TO THE RESPONDENT:**

**YOU ARE HEREBY GIVEN NOTICE** that a petition has been filed in the above-named court to dissolve the marriage. A copy is attached to this summons.

In order to defend against this action, you must respond to the petition by (1) filing a written response with the court, and serving the petitioner as shown; or (2) contacting the Clerk of Court and stating that you will appear in court to respond orally on the record. The Court prefers that you make a written response. Your written response must state whether you oppose the petition and your reasons. If you do not take either action within **21 days** after the date this summons was served on you, the court may enter an order of default against you and, without further notice to you, grant the request made in the petition.

For your convenience, an Answer Form is available at the Courthouse. If you wish to seek the advice of an attorney in this matter, you should do so promptly so that your response, if any, may be made by the deadline.

This summons is issued pursuant to Lummi Code of Laws 3.03.030 – 3.03.070.

Dated: \_\_\_\_\_

\_\_\_\_\_ [PETITIONER'S SIGNATURE]

\_\_\_\_\_ [PRINTED NAME]

**FILE ORIGINAL OF YOUR RESPONSE  
WITH THE CLERK OF THE COURT AT:**

**SERVE A COPY OF YOUR RESPONSE TO:**

Lummi Nation Tribal Court  
2616 Kwina Road  
Bellingham, WA 98226

Petitioner:

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip Code

CIVIL SUMMONS – DISSOLUTION OF MARRIAGE

Court Form DM - 03 7/18/11

Lummi Tribal Court  
2665 Kwina Road  
Bellingham, WA 98226  
(360) 312-2239



1  
2  
3 **IN THE TRIBAL COURT**  
4 **FOR THE LUMMI NATION, WASHINGTON**

5 IN RE THE MARRIAGE OF:

Case No.: \_\_\_\_\_ CVDM \_\_\_\_\_

6 \_\_\_\_\_,  
7 Petitioner,

[ ] DECREE OF DISSOLUTION

8 and

[ ] DECREE OF LEGAL SEPARATION

9 \_\_\_\_\_,  
10 Respondent

[ ] DECLARATION CONCERNING  
VALIDITY OF MARRIAGE

(No Dependent Children)

11  
12 **JUDGMENT/ORDER SUMMARIES**

13 Restraining Order

14  Does not apply  Restraining Order is set forth in Attachment B.

15 Real Property Judgment:

16  Does not apply  Real Property Judgment is set forth in Attachment A.

17 Money Judgment:

18  Does not apply  Money Judgment is set forth in Attachment A.

19 **FINDINGS OF FACT AND CONCLUSIONS OF LAW.**

20 **1. BASIS FOR FINDINGS**

21 The findings are based on:

- 22  agreement.  
23  an order of default signed by the court on this date or dated \_\_\_\_/\_\_\_\_/\_\_\_\_.  
24  a hearing before the court. The following persons attended:

- 25  Petitioner.  
 Respondent.



1 2. AWARD OF PROPERTY.

2  Does not apply.

3  The community and separate property is awarded as set out in Attachment A to this Decree.

4  The award of property is held in abeyance pending further order of this Court. A  
5 hearing on that issue will be held on \_\_\_\_/\_\_\_\_/\_\_\_\_ at \_\_\_\_\_. The issues to be  
6 determined at that time are: \_\_\_\_\_

6 3. PAYMENT OF LIABILITIES.

7 Unless otherwise provided herein, each party shall pay all liabilities incurred by that party  
8 since the date of separation. The division of liabilities of the parties incurred prior to that  
9 time is as follows:

8  Does not apply.

9  The community and separate liabilities of the parties are divided as set out in Attachment  
10 A to this Decree.

10  Other:

11 4. HOLD HARMLESS PROVISION.

12  Does not apply.

13  For each separate or community liability that has been assigned in this decree to be paid  
14 by one party, that party shall hold the other party harmless from any collection action  
15 relating to that liability, including reasonable attorney's fees and costs incurred in defending  
16 against any attempts to collect an obligation from the other party.

15 5. ATTORNEY'S FEES, OTHER PROFESSIONAL FEES AND COSTS.

16  Does not apply.

17  Attorney's fees, other professional fees and costs shall be paid as follows:

18 6. NAME CHANGES.

18  Does not apply.

19  The wife's name shall be changed to \_\_\_\_\_.

20  The husband's name shall be changed to \_\_\_\_\_.

21 7. OTHER:

22 Dated: \_\_\_\_\_

23 \_\_\_\_\_  
24 Judge  
25 Lummi Tribal Court

1 ATTACHMENT A – DIVISION OF PROPERTY AND LIABILITIES

2  
3 1. REAL PROPERTY

4  The parties do not own real property.

5  The parties own the following real property, described as follows (separately describe if more than one property):

6 Assessor's property tax parcel or account number:

7 or

8 Legal description of the property awarded (including lot, block, plat, or section, township, range, county and state) is attached.

9 or

10 Address and description:

11  
12 The real property is awarded as follows: \_\_\_\_\_

13  
14 2. PERSONAL PROPERTY TO BE AWARDED THE HUSBAND

15  Does not apply.

16  The husband is awarded the following property, or percentage of property:



1 6. LIABILITIES TO BE PAID BY THE WIFE.

2  Does not apply.

3  The wife shall pay the following community or separate liabilities:

Creditor	Amount

11 7. MONEY JUDGMENT

12  Does not apply.

13  Judgment is entered as follows:

14 A. Judgment creditor \_\_\_\_\_

15 B. Judgment debtor \_\_\_\_\_

16 C. Principal judgment amount \$ \_\_\_\_\_

17 D. Interest to date of judgment \$ \_\_\_\_\_

18 E. Attorney fees \$ \_\_\_\_\_

19 F. Costs \$ \_\_\_\_\_

20 G. Other recovery amount \$ \_\_\_\_\_

21 H. Principal judgment shall bear interest at \_\_\_\_\_ % per annum

22 I. Attorney fees, costs and other recovery amounts shall bear interest at \_\_\_\_\_ % per annum

23 J. Attorney for judgment creditor: \_\_\_\_\_

24 K. Attorney for judgment debtor: \_\_\_\_\_

25 L. Other \_\_\_\_\_

26 8. OTHER:

CONTINUING RESTRAINING ORDER.

Does not apply.

A continuing restraining order is entered as follows:

The  husband  wife is restrained and enjoined from disturbing the peace of the other party.

The  husband  wife is restrained and enjoined from going onto the grounds of or entering the  home  work place  school of the other party.

The  husband  wife is restrained and enjoined from knowingly coming within or knowingly remaining within \_\_\_\_\_ (distance) of the  home  work place  school of the other party.

**VIOLATION OF A RESTRAINING ORDER HEREIN WITH ACTUAL KNOWLEDGE OF ITS TERMS IS A CRIMINAL OFFENSE UNDER LUMMI CODE OF LAWS 5.07.070 AND WILL SUBJECT THE VIOLATOR TO MANDATORY ARREST. LCL 5A. 02.070.**



## Certificate of Dissolution Declaration of Invalidity of Marriage or Legal Separation

Please Type or Print in Permanent Black Ink

Court File Number		State File Number	
_____ CVDM _____			
30. Husband's Social Security Number	Decree I certify the marriage of the persons named below was ordered as a...		
	1. <input type="checkbox"/> Legal Separation <input type="checkbox"/> Dissolution of Marriage	2. Date of Decree (Month/Day/4 Digit Year)	3. County of Decree <b>Lummi Tribal Court</b>
	4. Signature of Lummi Tribal Court Clerk  <b>X</b>		
To be Completed by Petitioner's Attorney or PRO SE			
29. Wife's Social Security Number	Husband		
	5. Name		6. Date of Birth
	8. Current Residence (Number and Street)		9. City/Town/Location
		10. Inside City Limits <input type="checkbox"/> Yes <input type="checkbox"/> No	11. County
		12. State	
Wife			
13. Name		14. Maiden Name	15. Date of Birth
17. Current Residence (Number and Street)		18. City/Town/Location	19. Inside City Limits <input type="checkbox"/> Yes <input type="checkbox"/> No
		20. County	
		21. State	
22. Place of this Marriage - County		23. State (if not USA give Country)	24. Date of this Marriage
		25. Number of Children Born alive of this Marriage.	
26. Petitioner <input type="checkbox"/> Husband <input type="checkbox"/> Wife <input type="checkbox"/> Both <input type="checkbox"/> Other (specify)			27. Name of Petitioner's Attorney or PRO SE
28. Petitioner's Address			

Petitioner or Petitioner's Attorney – please complete sections 1 – 30.